

IN THE DRAWINGS

Figure 13 has been amended as indicated in red in the attached annotated marked-up drawing. A replacement sheet of Figure 13 is also attached.

REMARKS

The objections set forth in paragraph 1 of the office action have been corrected.

With respect to the objections set forth in paragraph 2, it is noted that the phrase “forming a pore over a substrate” is vague and indefinite because it is unclear where the pore is being formed. The claim has been amended to indicate that the pore is in the memory.

Also in paragraph 2 of the office action, column 4, lines 2 and 3, and the phrase “said pore having a dimension smaller than the feature size possible with lithographic techniques” was asserted to be unclear as to what is the dimension. But the point of the claim is to give a range and not to specify the dimension. Again, breadth of the claim is not to be equated with indefiniteness. See M.P.E.P. § 2173.04. The question is asked, is there a limit to the dimension? The limitation that exists is set forth in the claim. That limitation is clear and distinct. Therefore, there should be no further objection.

With respect to the objection of claim 11, lines 1-2, an appropriate amendment has been made. Similarly, regarding the objection to claim 15, lines 1-2, an appropriate amendment has been made.

With respect to the objection to Figure 14, it is believed that adding the reference numeral to Figure 13 will clarify the issue. In other words, in Figure 13, the groove in the periphery is filled with the sacrificial light absorbing material 47. See the specification at page 12, line 7.

It is also indicated that it is unclear why claim 17 further discloses etching said groove in the periphery into the sacrificial light absorbing material. This is seen by comparing Figures 13 and 14 with the groove 55 resulting in Figure 14.

With respect to the question about why the groove in the periphery could be claimed to be deeper than the groove in the memory array, the groove 55 and 53 may be compared to see that the drawings do show this feature.

With respect to the objection to the use of the term “memory” in claims 23-29, an appropriate amendment has been made.

With respect to the objection that it is unclear where the substrate of claim 24 is relative to the phase change memory, an appropriate amendment has been made.

Similarly, with respect to the objection to the pore over the substrate as being vague and indefinite, an appropriate amendment was made.

With respect to the objection of claim 24, lines 2-3, in said pore having a dimension smaller than the feature size possible with lithographic techniques, the remarks with respect to claim 4 and the same language are referenced here.

With respect to the objection to claim 28, it is not understood what is unclear. If the suggestion is that vertical length versus horizontal length is more clear than vertical extent versus horizontal extent, it is unclear that this would be so. It is not clear how length and width would relate if such a change were made. Normally, one would compare height versus width. Therefore, to avoid any unclarity, a vertical extent and horizontal extent are used with the thought that that would make it clearer. Therefore, reconsideration is requested.

The objection to claim 29 and the word "damascene" has been cured.

The objection to claim 29 with respect to "insulator" has been cured.

With respect to the rejection under section 102 based on the *patentschrift*, it is noted that when the Examiner seeks to rely on a foreign language document, "a translation must be obtained so that the record is clear as to the precise facts the Examiner is relying upon in support of the rejection." See M.P.E.P. § 706.02 at page 700-21, left column, first full paragraph. Since no translation is provided, the rejection is ineffective.

The provision of a translation is respectfully requested.

Respectfully submitted,



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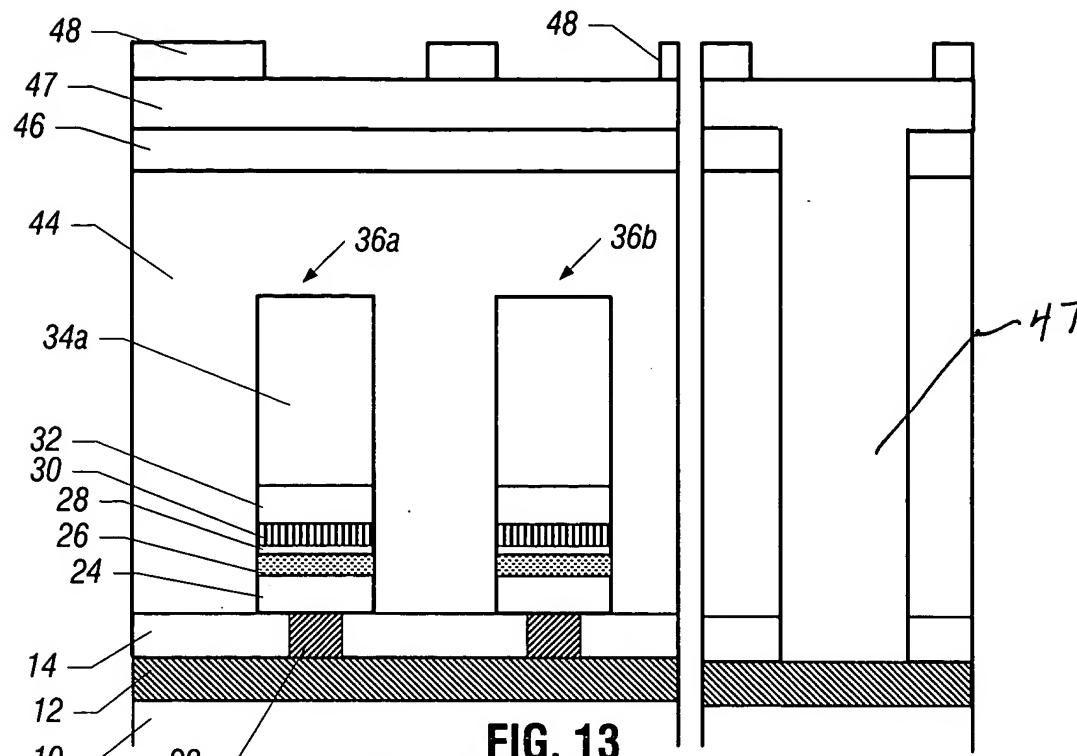


FIG. 13

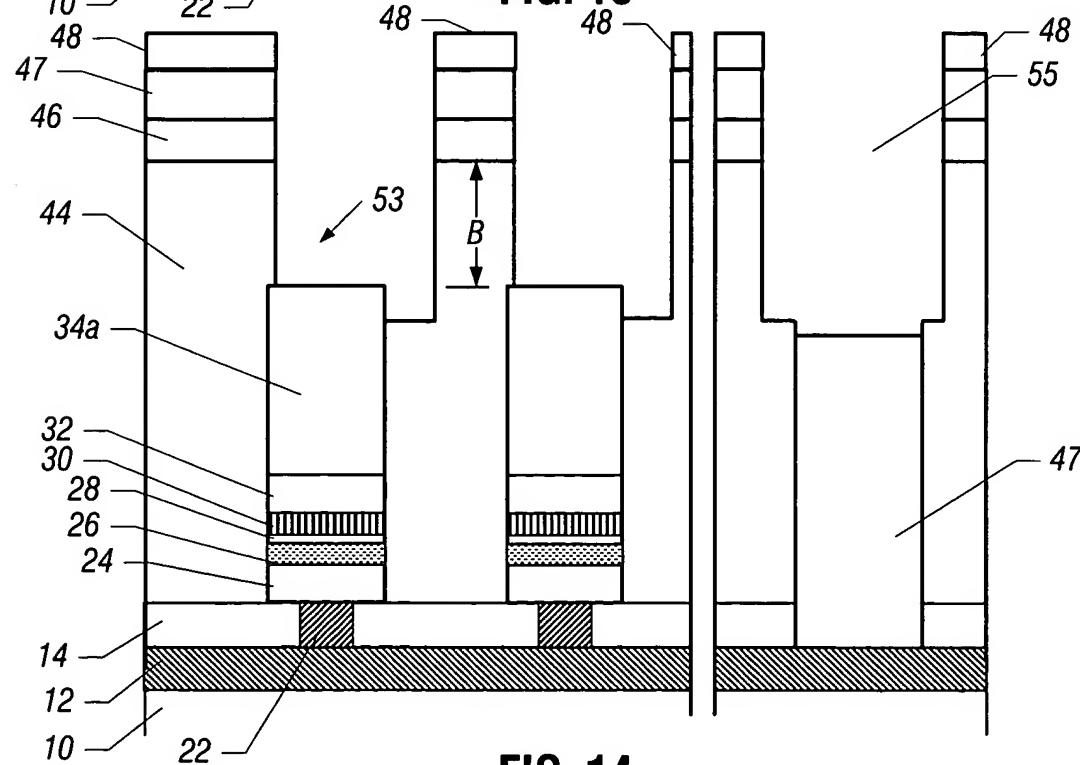


FIG. 14